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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/559,146

04/27/2000

Lars-Olof Oloff

OLOFSSON=1

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7590

05/20/2004

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EXAMINER

TANG, SON M

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/559,146

Applicant(s)

OLOFF ET AL.

Examiner

Son M Tang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 5-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear that, the claimed limitation "direction" prefers to? is it forward/reverse direction? or is it over/under limit direction? applicant please provide further define.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane, Jr. [US. 5,512,883] in view of Burks, Jr. [US 4,195,291].

Regarding to claims 1, 4 and 11: Lane Jr. discloses a method and device for monitoring the operation of a motor, which comprising an initiating a preset load limits when the motor is operating at normal cycle (as cited in different embodiments throughout the specification, particular in Fig. 4 and col. 10, lines 60-63 to col. 11, lines 1-17 and col. 8, lines 14-25).

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Lane Jr. does not specifically disclose a manual initiating means to be manually actuated the presetting of the load limit. The programmed for automatic initiating a presetting of the load limit as the current motor load changed during normal operation have been described above. It is clear that, the automatic concept is an improvement of manually, in doing that, which requires more program software to manipulate the motor. Therefore, it would have been obvious of one having ordinary skill in the art to recognize that for the benefit of user convenience and that automatic initiating verse manually initiating, both present design tradeoffs in that automatic initiating provides more user convenience at the expense of a little cost for software programs compare with manual initiating, so that in a particular implementation of initiating a presetting load limit manually initiating can be chosen if user expense is preferred.

Lane Jr. fails to specify that a predetermined deviation value stored in the load indicator. Burks, Jr. teaches a system which comprising, a predetermined deviation value is stored as a fixed value, which uses to determine the rotation change and trigger an alarm [as cited in col. 1, lines 50-col. 2, lines 1-6].

It would have been obvious of one having ordinary skill in the art at the time the invention was made to have a preset deviation value stored in the system as taught by Burks which can be used in the system of Lane Jr. in order to have a specific deviation value in the memory for the purpose of preventing false alarm, since when changed by a stored predetermined deviation value so to preclude unnecessary re-calculation and storage of a new threshold when there are only a small insignificant changes. Further more, Burks Jr. does not detecting motor current, however, the motor rotation and current are relating to motor power therefore, both components are detectable.

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Regarding to claims 5-8: Lane Jr. further discloses two current thresholds 3 and 4 in the same direction, which represent the high and low current threshold, Lane Jr. does not specifically discloses four deviation values which two represent different deviations in a first direction and other two represent different deviations in a second direction or opposite directions. Since, the system is be able to initiate the first two deviations values as described above, it would have been obvious of one having ordinary skill in the art at the time the invention was made to recognize that the system can be better monitored by more deviations values initiated.

Regarding to claims 9-10: As stated by Lane Jr. in col. 8, lines 20-25 that the low current threshold indicates overload and high current threshold indicates under load. It is obvious of one having ordinary skill in the art to recognize that when overload condition is occurred, the motor lost its power, and the supplied current increased which increase the supplied power.

3. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane, Jr. [US. 5,512,883] in view of Burks, Jr. [US 4,195,291] and further in view of Akiyama et al. [US 4m211m967].

Regarding to claims 2-3: Lane Jr. and Burks Jr. disclose all the limitations as described above, they are not specifically disclose that the deviation value is stored as a percentage number which multiplied by the current or power.

The deviation value in percentage number is known in the art of Akiyama et al. which teach a motor speed adjusting apparatus and comprises a deviation percentage of the motor speed [as cited in col. 1, lines 5-8 and 55-58] . It would have been obvious of one having ordinary skill in the art to modify the deviation percentage as taught by Akiyama et al. into the combination

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above, in order to enhance the sensitivity, since the deviation is a small change, percentage values provide better result.

*Conclusion*

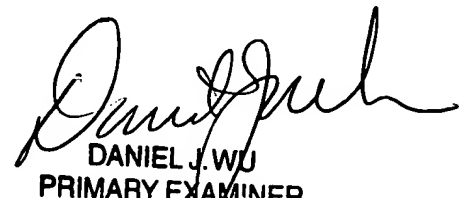
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Michel et al. [US 5,867,357].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M Tang whose telephone number is (703)306-5970. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (703)308-6730. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son Tang

  
DANIEL J. WU  
PRIMARY EXAMINER  
5/17/04